

FILED

DISTRICT COURT OF GUAM

MAR 24 2006

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

ROBERTO J. DEL ROSARIO,
Plaintiff,

vs.

JAPAN AIRLINES INT'L CO., LTD.,
Defendant.

Civil Case No. 04-00028

ORDER

On March 1, 2006, counsel for the parties appeared before the Court for a status conference. See Minutes, Docket No. 41. At said conference, counsel advised the Court that Mr. Gavras – counsel for the Plaintiff – had communicated an offer to settle this action to Mr. Ledger – counsel for the Defendant – on February 24, 2006, and Mr. Ledger accepted said offer on behalf of the Defendant. Nevertheless, the Plaintiff subsequently advised Mr. Gavras that he wished to proceed with trial.

Because of the uncertainty surrounding the alleged settlement, the Court directed counsel to file separate affidavits regarding the facts that led up to the purported settlement. The Court also afforded the Plaintiff an opportunity to file an affidavit himself.

The Court has reviewed the Plaintiff's and counsel's affidavits. The Plaintiff alleged that he did not authorize Mr. Gavras to take such action and thus disavowed the alleged agreement reached by counsel. See Aff. R. Del Rosario, Docket No. 44, at ¶6.

Because there is still uncertainty surrounding the "settlement," the Court hereby sets

ORIGINAL

1 this matter for a status hearing on Thursday, March 30, 2006, at 10:15 a.m. Counsel and the
2 Plaintiff are directed to appear at said hearing.

3 **SO ORDERED** this 24th day of March 2006.

4
5
6 
7 JOAQUIN V.E. MANIBUSAN, JR.
8 U.S. MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28